

REMARKS

In response to the Final Office Action dated December 26, 2008, Applicant is filing along with this Amendment, an RCE Application and is amending the pending claims in the parent application in accordance with this Amendment. The amendments and remarks presented herein are believed to be fully responsive to the Office Action.

The present application includes claims 1-16 and 18. Claims 1-16 and 18 were rejected. By this Amendment, claims 1, 12 and 18 are amended. Support for the amendments and added claims can be found in Paras. [0037]-[0039].

A. Examiner Interview

On January 8, 2009, Applicant conducted an interview with the Examiner. Applicant and the Examiner discussed the 102(e) rejection of exemplary claim 12 over the Dean reference, as well as the differences between the teachings of the Dean reference and those in the present application. Applicant and the Examiner discussed several examples of how each system would come to different end results under similar circumstances, and how it was these different outcomes which show the real differences between the two systems. The Examiner expressed concern that the claims did not contain language so limiting their scope, and the Applicant pointed to language in the specification which Applicant feels would make such limitations clearer in the claim language.

Another topic discussed was the section 101 rejection of claim 12.

B. Claim Rejections under 35 U.S.C. § 112

Claims 1-5, 16 and 18 are rejected under 35 U.S.C. § 112, first and/or second paragraph. Regarding claims 4, 5 and 16, the Examiner rejected these claims under 35 U.S.C. § 112, first paragraph, stating that the limitation “the expansion keyword is in genus-species hierarchies with

the keyword” is not supported by Para. [0100] or Fig. 13. However, the Examiner also states that the term “expansion keyword” is known and understood in the art. As the term “expansion keyword” is known and understood in the art as a keyword which expands on the original keyword, be it as a synonym, a pluralization, a misspelling, or a genus/species of the original keyword, Applicant argues that the term “expansion keyword” as understood in the art as inherently including a genus-species hierarchy with the original keyword. Therefore, Applicant submits that claims 4, 5 and 16 comply with 35 U.S.C. § 112, first paragraph and are supported by the specification.

Regarding claims 1-5, the Examiner rejected these claims under 35 U.S.C. § 112, first paragraph, stating that new limitations “a process” and “one or more memories” are not supported by the original specification. However, the original specification describes an “On-line Advertising System and Method” through a “wired or wireless communication network.” Para. [0022]. Applicant submits that it is impossible to implement an online system and method through a wired or wireless communication network without a processor and one or more memories. One of ordinary skill in the art would certainly know that such an online system and method must be carried out with electronic devices which contain memories and at least a processor, and therefore such components are inherently taught in a system disclosing teachings related to such a system and method. Therefore, Applicant submits that claims 1-5 comply with 35 U.S.C. § 112, first paragraph and are supported by the specification.

Regarding claim 18, Applicant has amended this claim as suggested by the Examiner, and submits that this claim now complies with 35 U.S.C. § 112, second paragraph.

C. Claim Rejection under 35 U.S.C. § 101

The Examiner previously rejected claims 1-11 under 35 U.S.C. 101 because “the claimed invention was directed to non-statutory subject matter.” Applicant acknowledges the Examiner’s withdrawal of this rejection

The Examiner rejected claims 12-16 under 35 U.S.C. 101 because “the claimed invention was directed to non-statutory subject matter.” Applicant disagrees, but nevertheless Independent Claim 12 has been amended to state that various steps in the method are performed by a processor, and that at least a database is stored in a memory, as stated in previously amended Claim 1. Therefore, Applicant submits that Claims 12-16 now claim statutory subject matter.

D. Claim Rejection under 35 U.S.C. § 102(e)

The Examiner rejected Independent Claims 1, 12 and 18 under 35 U.S.C. § 102(e) as being anticipated by Dean et al. (U.S. 2004/0059708) (“Dean”). Dean teaches a system which is designed to evaluate target page content data and extract what amount to keywords similar to those a search engine would extract from a user-entered search term. Para. [0007]-[0008]. Essentially, the methods described in Dean all relate to identifying specific keywords (see Para. [0047] discussing topics as “travels”, “in” and “Italy,” or “restaurant”, “chianti” and “the”) which Dean calls “topics”, which are taken from the text of the target document or metadata. Dean teaches taking these keyword “topics” directly from the text and/or metadata of the target document, and using them to supply “relevant” advertising.

Independent Claims 1, 12 and 18, however, teach a very different system which does not use specific keywords from a target document to determine proper advertising. Instead, as disclosed at Paras. [0037]-[0038], the present invention analyzes the target document and assigns it a general, broad category, possibly according to a classification algorithm such as that

discussed in “Design of a system for classifying directory-based documents of technology information documents using SVM and configuration thereof” (Yoonhee Kang, 2001 Korean Digital content Academy Vol. 2, No.1; referenced at Para. [0038]). Such a category may be “Society and Culture” (Para. [0046]) when a target document includes text relating to “a murderer left a dead body in the refrigerator”, instead of something relating to the sale of refrigerators, such as “Shopping>>electronics, cellular phones>>home electronics”. Neither the terms “Society and Culture” nor “Shopping>>electronics, cellular phones>>home electronics” need to appear in the target document for the system to be able to correctly assign one category instead of the other, because these are broad categories as opposed to the specific keywords in Dean.

In contrast, according to the system discussed in the Dean reference, a target page which contains the term “refrigerator” in the title or multiple times throughout the text would likely still result in advertising relating to refrigerators, which is the exact situation explicitly mentioned in the present application which the system of Claim 12 is attempting to avoid. Paras. [0006]-[0007]. This is a key difference between merely selecting certain terms in a target document as keywords and analyzing the content of the target document to determine a category.

Independent Claims 1, 12 and 18 have all been amended to recite systems or methods in which a “content category” is determined by a “content classifying system” (which may utilize a “predetermined classification algorithm”) which determines and assigns a content category to a target document. The content category classifies the target document into a category according to relevant advertising, such as the above discussed “Society and Culture” category, regardless of whether such a term appears in the target document. Dean does not contemplate or teach such a content classification system which categorizes target documents without selecting keyword

“topics” directly from the target document. Dean’s inability to distinguish between a keyword “topic” which may relate relevant advertising and irrelevant advertising (such as that discussed above in connection with the refrigerator murder example) puts its teachings squarely within the scope of the problematic prior art discussed in the application.

Further, the difference between extracting keywords from the text or title or metadata of a target document and the analyzing of content of a document to determine a general category leads to a procedural different between Claim 12 and the Dean reference – namely, Dean’s failure to store a category in a database associated with some content. As the Dean reference is aimed at merely extracting certain terms from a target document and/or metadata and/or linking web sites, keywords from this method are likely to change frequently as metadata, linking websites, and even the exact wording of the target page change (as happens fairly often on the internet). Thus, storing the information in a database would be inefficient under Dean, as a new topic keyword determination would need to be run anyway each time before selecting advertisements for a web page.

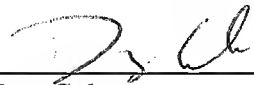
However, as the actual category of the target web page content is much more unlikely to change even if the textual wording in the document itself is somewhat altered, the method claimed in Claim 12 recites the maintenance of a database which stores the assigned content category. Even if the wording “a murderer left a dead body in the refrigerator” were to be altered to read “a robber left the money in the refrigerator” or “a murderer buried a dead body in a field,” the category “Society and Culture” is likely to still apply. Therefore, storing this category determination in association with a content identifier (such as a web address targeting the target document) in a database is efficient, whereas it would not be efficient under the teachings of the Dean reference.

This procedural difference alone serves to distinguish Claim 12 as amended from the Dean reference, but also helps to highlight the differences between Dean's "topics" and a "category" as disclosed in Claim 12. Topics are keywords, and are therefore much more precise and variable, whereas categories are broad and are generally applicable. It is because of these differences that the system of Dean does not disclose the storing of topics, instead merely selecting certain words from a target page/metadata/linking websites each time the page is loaded, whereas the method of Claim 12 is able to save time and computing power by analyzing target document content one time and then storing the resulting category.

As only dependent claims were rejected under 35 U.S.C. §103, these rejections are moot in view of the amendments to Independent claims 1, 12 and 18. Therefore, Applicant respectfully submits that Independent Claims 1, 12 and 18, as well as all of the claims which depend therefrom, are free from Dean and are allowable.

Respectfully submitted,

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Dan Cohn
Reg. No. 57476
Husch Blackwell Sanders LLP
720 Olive Street, 24th Floor
St. Louis, Missouri 63101
(314) 345-6000
ATTORNEYS FOR APPLICANT